Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant          Name and address of agent (if any)
Latimer Community Arts College         Sursham Tompkins & Partners
Castle Way                             Cottage Farm
Barton Seagrave                        Mears Ashby Road
Kettering                              Sywell
NN15 6SW                               Northampton
                                           NN6 0BJ

Part I - Particulars of application

Date of Application                    Application No.
29th June 2009                          NCC Ref: 09/00044/CCD
                                           KBC Ref: KET/2009/0353/NCC

Particulars and location of development

Erection of a 2.4 metre high mesh security fence at Latimer Community Arts College,
Castle Way, Barton Seagrave, NN15 6SW.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning
Act 1990 that permission has been granted for the carrying out of the development
referred to in Part I hereof in accordance with the application and plans submitted
subject to the following conditions:-

Time Limit

1. The development to which this permission relates must be begun not later than
   the expiration of three years beginning with the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and
Country Planning Act 1990 as amended by the Planning and Compulsory

Note: This permission only relates to planning permission and does not include consent
under the Building Regulations for which separate permission may be required. The
requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability
should also be adhered to wherever appropriate.
**Scope of Permission**

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the submitted application.

**Reason:** To define the scope of the permission and in the interest of clarity.

**Fencing**

3. The fencing hereby approved shall be finished in dark green unless otherwise agreed in writing by the County Planning Authority.

**Reason:** In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

4. Prior to commencement of works, a detailed scheme for the proposed security fencing indicating the position, design, materials and type of security fence to be erected shall be submitted to and approved by the County Planning Authority in writing. The scheme as approved shall thereafter be implemented.

**Reason:** To safeguard the visual amenities of the locality and the amenities of the adjoining properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**Existing Trees and Hedges**

5. The post holes for the new fencing along the school boundaries shall be dug by hand with due care taken to protect the roots of the nearby trees and hedges.

**Reason:** To protect existing trees and shrubs from damage in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

6. Prior to the commencement of works, a method statement for the erection of the new fencing and risk assessment of the potential for damage to the existing trees and hedgerows in accordance with BS5837:2005 “Trees in relation to construction – Recommendations” shall be submitted to the County Planning Authority for approval in writing. The method statement shall include details of the excavation methods, materials for the post supports and locations of the fence post holes. The submitted proposals which are approved shall thereafter be implemented.

**Reason:** To protect existing trees and shrubs from damage in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**Informatives**

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows:-

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2. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:-

i. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times.

ii. There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office.

iii. If as a result of the development the Right of Way needs to be closed a Traffic Regulation Order will be required. An Application form for such an order is available from Northamptonshire County Council, a fee is payable for this service and a period of six weeks notice is required.

iv. Any new path furniture (e.g. gates preferred over stile) needs to be approved in advance with the Access Development Officer, standard examples can be provided.

3. The applicants attention is drawn to the following comments from the Crime Prevention Design Advisor:-

i. Where new fencing meets old there should be no gap and the old fencing should be heightened to match the new;

ii. Due regard should be given to the bottom of the fence and how high above the ground the fence sits. If possible the bottom of the fence should be dug into the ground. This prevents access from under the fence.

**REASONS FOR APPROVAL**

The design, appearance and colour of the proposed security fencing are considered to acceptable, and it is considered that the proposed fencing will not be detrimental to the character and appearance of the surrounding area. The application is therefore considered to be acceptable in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy which seeks to raise the standard of design, help reduce the fear of crime and protect the amenities of adjoining properties.

**Date: 12\textsuperscript{th} October 2009**

Signed: [Signature]

For Chief Planning Officer

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1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


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